

shall inure to the benefit of any of its members, directors, or officers, nor be distributable thereto otherwise than upon dissolution or final liquidation; and that such corporation is organized and shall be operated exclusively for charitable, educational, patriotic, and civic improvement purposes.

(July 23, 1947, ch. 298, § 3, 61 Stat. 405; Aug. 15, 1977, Pub. L. 95-98, § 1(b)(1), 91 Stat. 830; June 13, 1991, Pub. L. 102-54, § 13(n)(1), 105 Stat. 278.)

AMENDMENTS

1991—Par. (2). Pub. L. 102-54 substituted “Department of Veterans Affairs” for “Veterans’ Administration”.

1977—Par. (2). Pub. L. 95-98 inserted “, the Korean conflict, and the Vietnam era” after “World War II”.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-98 effective Oct. 1, 1977, see section 2 of Pub. L. 95-98, set out as a note under section 67 of this title.

§ 67c. Powers of corporation

The corporation created shall have the following powers: To have perpetual succession with power to sue and be sued in any court of competent jurisdiction; take and hold by lease, gift, purchase, grant, devise, or bequest any property, real or personal, necessary for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of real and personal property which may be held by, or (B) otherwise limiting or controlling the ownership of real and personal property by, a corporation operating in such State; to ordain and establish bylaws and regulations not inconsistent with the laws of the United States of America or any State thereof, for the management of its property and the regulation of its affairs; to use in carrying out its purposes such seals, emblems, and badges as it may lawfully adopt; to establish State and regional organizations and local posts; to publish magazines, newspapers, or any other publications consistent with the purposes of the corporation and to do any and all such acts and things as may be necessary and proper to carry into effect the purposes of the corporation.

(July 23, 1947, ch. 298, § 4, 61 Stat. 406.)

CROSS REFERENCES

Additional powers, see section 67i of this title.

§ 67d. Propaganda activities prohibited; non-political nature of corporation; membership of executive committee; headquarters; territorial scope of activities

(1) No part of the activities of the corporation shall consist of carrying on propaganda.

(2) The corporation and its officers and the members of its executive committee as such shall not contribute to or otherwise support or assist any political party or candidate for elective public office.

(3) The current executive committee consists of forty members, namely, Ray Sawyer, Plymouth, New Hampshire; Jack W. Hardy, Title Guaranty Building, Los Angeles, California; Albert J. Reynolds, 3117 Washington Street, Rox-

bury, Massachusetts; L. M. Hinshaw, box 558, Asheboro, North Carolina; J. M. Crespi, Sims Building, 12 Auburn Avenue Northeast, Atlanta, Georgia; Arthur J. Madar, 9166 Yorkshire, Detroit 24, Michigan; Kenneth A. Anderson, 7166 South Penn Street, Denver, Colorado; Anthony O. Jones, 315 Security Building, Phoenix, Arizona; Agnes Frazee, post-office box 751, Uniontown, Pennsylvania; Floyd Williams, C-2, 704 North Monroe Street, Arlington, Virginia; William Kipp, 1032 North Dearborn Street, Chicago, Illinois; John J. Carney, 308 Leader Building, Cleveland, Ohio; Doctor John S. Weir, 618 South Main Street, Fond du Lac, Wisconsin; Reverend Sam Hill Ray, Loyola University, New Orleans, Louisiana; Nathan Gordon, Little Rock, Arkansas; Thad Males, 329 West Valerio Street, Santa Barbara, California; Al Grossi, Farmington, Connecticut; Harry M. De Witt, Junior, 2316 Fortieth Street Northwest, Washington, District of Columbia; George E. Burke, 1126 Central Avenue, Saint Petersburg, Florida; Charles L. Crowley, 935 Oglethorpe Avenue, Atlanta, Georgia; L. Harlan Swisher, 306 Davidson Drive, Champaign, Illinois; Arthur Schnipper, 4334 Ivy Street, East Chicago, Indiana; Robert Buckmaster, 158 Woodstock Road, Waterloo, Iowa; William C. Moss, Bogalusa, Louisiana; Edward J. Beauchamp, 163 Lisbon Street, Lewiston, Maine; Thomas Burke, 222 South Street, Fitchburg, Massachusetts; Milton F. Cooney, 55 Naomi Street, Pontiac, Michigan; Paul Limerick, 456 Catalina, Webster Groves, Missouri; Louis W. Zaris, 331 Guarantee Trust Building, Atlantic City, New Jersey; William Hepp, 176 Lafayette Street, Buffalo, New York; J. C. Powell, box 830, Winston-Salem, North Carolina; E. L. Hallowell, 455 Forest Avenue, Dayton, Ohio; K. L. Shirk, 33 North Duke Street, Lancaster, Pennsylvania; Albert Geremia, 277 Webster Avenue, Providence, Rhode Island; Richard H. Dewey, 251 Madison Avenue, Memphis, Tennessee; Ivan Stone, 2708 West Lamar, Houston, Texas; Doctor M. H. Seidner, 406 First Security Bank Building, Ogden, Utah; J. C. McCaughan, Junior, 1904 West Broad Street, Richmond, Virginia; John F. Howell, Junior, 1110½ Seventeenth Street, Parkersburg, West Virginia; and Kenneth Kunde, Quonset Park, Oshkosh, Wisconsin.

(4) The headquarters office and principal place of business of said corporation shall be located in Washington, District of Columbia, but the activities of said organization, as set out herein, shall not be confined to the District of Columbia, but shall be conducted throughout the various States, Territories, and possessions of the United States.

(July 23, 1947, ch. 298, § 5, 61 Stat. 406.)

§ 67e. Membership

Eligibility for membership in AMVETS and the rights and privileges of members shall, except as provided in this chapter, be as provided in the constitution and bylaws of the organization, and terms of membership and requirements for holding office within the organization shall not be discriminatory on the basis of race, color, religion, sex or national origin.

(July 23, 1947, ch. 298, § 6, 61 Stat. 407; Dec. 28, 1950, ch. 1178, 64 Stat. 1122; July 26, 1955, ch. 383,

69 Stat. 375; Sept. 14, 1966, Pub. L. 89-576, 80 Stat. 772; Aug. 15, 1977, Pub. L. 95-98, §1(b)(2), 91 Stat. 830; May 31, 1984, Pub. L. 98-304, 98 Stat. 220.)

AMENDMENTS

1984—Pub. L. 98-304 amended section generally. Prior to amendment, section read as follows: “Any person who served in the Armed Forces of the United States of America or any American citizen who served in the armed forces of an allied nation of the United States at any time after September 15, 1940, and before May 8, 1975, is eligible for regular membership in AMVETS, provided such service when terminated by discharge or release from active duty be by honorable discharge or separation. No person who is a member of, or who advocates the principles of, any organization believing in, or working for, the overthrow of the United States Government by force, and no person who refuses to uphold and defend the Constitution of the United States, shall be privileged to become, or continue to be, a member of this organization”.

1977—Pub. L. 95-98 substituted “at any time after September 15, 1940, and before May 8, 1975,” for “on or after September 16, 1940, and on or before the date of cessation of hostilities as determined by the Government of the United States.”.

1966—Pub. L. 89-576 redefined eligibility for membership in AMVETS, substituting “the date of cessation of hostilities as determined by the Government of the United States” for “January 31, 1955”.

1955—Act July 26, 1955, substituted “and on or before January 31, 1955” for “and before the legal termination of World War II”.

1950—Act Dec. 23, 1950, redefined eligibility for membership in AMVETS.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-98 effective Oct. 1, 1977, see section 2 of Pub. L. 95-98, set out as a note under section 67 of this title.

CROSS REFERENCES

Penalty for unauthorized manufacture, reproduction, or sale of badges or emblems of veterans' organizations, see section 705 of Title 18, Crimes and Criminal Procedure.

§ 67f. Voting rights of members and convention delegates; executive committee

(1) Each member of the said corporation shall have the right to one vote in the conduct of official business at the post level. Each post shall have the right to elect delegates to national conventions of the corporation, which delegates shall each exercise one vote in the conduct of business of the respective convention to which he is elected.

(2) The executive committee of the said corporation shall consist of one member duly elected to represent each department, and, in addition, all elective officers shall be members of the executive committee, ex officio.

(July 23, 1947, ch. 298, §7, 61 Stat. 407.)

§ 67g. Acquisition of assets and liabilities of existing association

The said corporation may and shall acquire all of the assets of the existing unincorporated association known as AMVETS (American Veterans of World War II) upon discharge or satisfactory provisions for the discharge of all its liabilities.

(July 23, 1947, ch. 298, §8, 61 Stat. 407.)

CODIFICATION

Amendment of this section by Pub. L. 95-98, §1(a), Aug. 15, 1977, 91 Stat. 830, which directed that “AMVETS (American Veterans of World War II, Korea, and Vietnam)” be substituted for “AMVETS (American Veterans of World War II)” has not been executed to text because the organization name is used in this section in the context of a historical reference to the name of the predecessor unincorporated association as that association existed at the time of the 1945 convention, at which time the association was named “AMVETS (American Veterans of World War II)”.

§ 67h. Use of assets on dissolution or liquidation

In the event of a final dissolution or liquidation of such corporation, and after the discharge or satisfactory provisions for the discharge of all its liabilities, the remaining assets of the said corporation shall be transferred to the Department of Veterans Affairs to be applied to the care and comfort of disabled veterans of World War II, the Korean conflict and the Vietnam era.

(July 23, 1947, ch. 298, §9, 61 Stat. 407; Aug. 15, 1977, Pub. L. 95-98, §1(b)(3), 91 Stat. 830; June 13, 1991, Pub. L. 102-54, §13(n)(1), 105 Stat. 278.)

AMENDMENTS

1991—Pub. L. 102-54 substituted “Department of Veterans Affairs” for “Veterans’ Administration”.

1977—Pub. L. 95-98 inserted “, the Korean conflict and the Vietnam era” after “World War II”.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-98 effective Oct. 1, 1977, see section 2 of Pub. L. 95-98, set out as a note under section 67 of this title.

§ 67i. Additional corporate powers

The corporation shall have power to—

- (1) Have succession by its corporate name;
- (2) Choose such officers, representatives, and agents as are necessary to carry out the purposes of the corporation;
- (3) Contract and be contracted with;
- (4) Transfer and convey all real or personal property;
- (5) Borrow money for the purposes of the corporation, issue bonds therefor, and secure same by mortgage subject in every case to all applicable provisions of Federal or State laws.

(July 23, 1947, ch. 298, §10, 61 Stat. 407.)

§ 67j. Liability for acts of officials and agents

The corporation shall be liable for the acts of its officials, representatives, and agents when acting within the scope of their authority.

(July 23, 1947, ch. 298, §11, 61 Stat. 407.)

§ 67k. Agent for service of process

The corporation shall maintain in the District of Columbia at all times a designated agent authorized to accept services of processes for such corporation; and notice to or service upon such agent, or mail to the business address of such agent, shall be deemed notice or service upon the corporation.

(July 23, 1947, ch. 298, §12, 61 Stat. 407.)

§ 67l. Election of officers

The following national officers of the said corporation shall be elected by the chosen delegates